

Appendix D:
Vice President's Albert Gore's
Responses to OIG's Written Questions

THE WHITE HOUSE
WASHINGTON

November 16, 1999

HAND-DELIVERED

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Dear Mr. Martin:

Enclosed please find responses to the questions submitted to the Vice President by your office regarding Citizenship USA.

If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,

Steven F. Reich
Senior Associate Counsel to the President

Enclosure

OFFICE OF THE VICE PRESIDENT
WASHINGTON

MEMORANDUM

TO: Steven F. Reich
Senior Associate Counsel to the President

FROM: Lisa Brown
Counsel to the Vice President

DATE: November 15, 1999

RE: Citizenship USA

Attached to this memorandum are the Vice President's responses to the questions submitted to him by the Department of Justice's Inspector General regarding Citizenship USA.

RESPONSES TO QUESTIONS POSED BY THE INSPECTOR GENERAL REGARDING CITIZENSHIP USA

1. When did you first become aware of the Citizenship USA (CUSA) program or efforts by the Immigration and Naturalization Service (INS) to reduce the naturalization backlog in Fiscal Year (FY) 1996?
2. How did you first become aware of the CUSA program or efforts by the INS to reduce the naturalization backlog in FY 1996?
3. During FY 1996, did you have discussions with any INS or Department of Justice official about the CUSA program or efforts by the INS to reduce the naturalization backlog? If so, please
 - identify the persons with whom you had such discussions,
 - the approximate dates of those discussions,
 - and describe the substance of the discussions in detail.

Response to Questions 1-3: The Vice President cannot pinpoint exactly when or how he first became aware of the Citizenship USA (CUSA) program or efforts by the Immigration and Naturalization Service (INS) to reduce the naturalization backlog in Fiscal Year (FY) 1996, although he believes that he first realized the full extent of the problem with the INS' performance when he met in Los Angeles in March 1996 with a group of community leaders who were unhappy with lengthy delays in the INS' processing of naturalization applications and presented compelling arguments regarding the agency's failures. The Vice President does not recall discussions with officials of the INS or Department of Justice about CUSA or These efforts

to reduce the backlog during FY 1996, but notes that officials of the LNS briefed him prior to his meeting with the community leaders.

Attachment A

We understand that, in preparation for a meeting with the Hispanic Caucus in January 1996, a briefing paper was prepared for Deputy Chief of Staff Harold Ickes by Steven Warnath of the Domestic Policy Council. We have enclosed a copy of that document, which is identified as Attachment A.

4. Have you seen this document before?
5. When did you first see it?
6. Who provided it to you and for what purpose?

At the bottom of the first page of Attachment A, the memorandum states that "[t]he Caucus' view is that faster naturalization means more potential Democratic voters in the next election... Congressman Bercerra [sic] is likely to express the concern that the Administration's Citizenship U.S.A. program is unlikely to maximize this potential."

7. Did you attend the meeting with the Hispanic Caucus?
8. If so, did you discuss with anyone at the meeting the possibility that the acceleration of the INES' naturalization efforts might result in increasing the number of people who would be eligible to vote in the November 1996 election?
 - identify the persons with whom you had such discussions,
 - the approximate dates of those discussions,
 - and describe the substance of the discussions in detail.
9. Did you have any discussions with the President or members of the White House staff about the CUSA program or efforts by the INS to reduce the naturalization backlog in FY 1996 prior to the meeting with the Hispanic Caucus? If so, please tell us in detail about those conversations, identifying all parties to the discussion(s)

Response to Questions 4-9: The Vice President does not believe that he saw this document before it was provided to him by your office, or that he attended the referenced meeting with the Hispanic Caucus in January 1996. Because he does not think he saw the document or attended the meeting, he likewise does not think that he discussed the CUSA program or efforts by the INS to reduce the naturalization backlog in FY 1996 with the President or members of the White House staff prior to the meeting.

Effect of Accelerated Naturalization

10. During FY 1996, did you discuss with anyone the possibility that the acceleration of the INS naturalization efforts might result in increasing the number of people who would be eligible to vote in the November 1996 election? If so,

- identify the persons with whom you had such discussions,
 - the approximate dates of the discussions,
 - and describe the substance of the discussions in detail.
11. During FY 1996, did you discuss with anyone the possibility that the acceleration of the INS' naturalization effort-s might result in increasing the number of people who would be eligible to vote in the November 1996 election AND who might likely vote for the Clinton-Gore ticket and/or other Democratic candidates? If so,
- identify the persons with whom you had such discussions,
 - the approximate dates of the discussions,
 - and describe the substance of the discussions in detail.
12. Did any of these discussions specifically focus on effects in the State of California? If so,
- identify the persons with whom you had such discussions,
 - the approximate dates of the discussions,
 - and describe the substance of the discussions in detail!

Response to Questions 10-12: As a result of the information provided to him during his meeting with community leaders in Los Angeles, the Vice President realized that there were serious and unnecessary delays in the way the INS was processing naturalization applications. The Vice President felt that the delays were unacceptable and embarrassing, and that decisive action was needed to correct the problem.

The Vice President does not recall discussing the possibility that reinventing the INS' naturalization process might result in increasing the number of people who would be eligible to vote in the November 1996 election, or the number of people who might likely vote for the Clinton-Gore ticket or other Democratic candidates, and that was not how he viewed the purpose of the reinvention effort. While others may have seen a connection between INS reform and the right to vote in the 1996 election, the Vice President's concern was to fix a government agency that, in his view, was broken. The Vice President does not believe that discussions of reinventing the INS focused particularly on California. His recollection is that the backlog affected applicants in a number of states, including New York, Illinois and Florida.

13. Did you tell Ms. Kamarek or anyone else that the President's interest in the CUSA program was generated by an interest to naturalize large numbers of potential Democratic voters? If so, please describe any such discussions in detail.

Response to Question 13: The Vice President does not believe that he told that to Ms Kamarek or anyone else.

14. During FY 1996, did you participate in any discussions about the impact of accelerated processing on the quality of INS adjudications? For example, did the participants discuss

the possibility that accelerated processing might result in naturalizing ineligible persons?
If so,

- identify the persons with whom you had such discussions,
- the approximate dates of the discussions,
- and describe the substance of the discussions in detail

Response to Question 14: The Vice President does not recall such discussions. In general, he believes that the experience of both government and private industry with reinvention efforts is that when an agency program fails to work properly, as in the case of the INS, the agency's performance is usually both slow and lacking in quality. When reinvented, both the speed and quality of an agency program inevitably improve.

February 9, 1996 Meeting

Evidence shows that INS Commissioner Doris Meissner attended a meeting at the White House in Harold Ickes' office on February 9, 1996. Elaine Karnarck of your staff was present for that meeting.

15. Who made the decision that Ms. Karnarck should attend that meeting?
16. For what purpose was she at the meeting?
17. What discussions did you have with Ms. Karnarck regarding CUSA, naturalization, or voter eligibility prior to her attending the meeting?
18. Did you provide Ms. Karnarck with any instructions prior to the meeting in Mr. Ickes' office? If so, please describe these instructions in detail.

Response to Questions 15-18: The Vice President does not believe he knew about the meeting and therefore cannot say who made the decision that Ms. Karnarck should attend, or why she was there. Because he believes he was unaware of the meeting, he does not believe that he had discussions with Ms. Karnarck regarding CUSA or voter eligibility prior to her attending the meeting, and does not believe that he provided her with any instructions prior to it.

National Performance Review (NPR)

Evidence shows that the NPR became involved in naturalization processing in February 1996.

19. Why did the NPR become involved in naturalization processing in February 1996? Please state ALL factors that contributed to the decision to involve NPR.
20. Who made the final decision to involve the NPR?
21. Did you have discussions with anyone prior to the February 9, 1996 meeting in Mr. Ickes' office about the involvement of the NPR in the CUSA program? If so, please identify the persons with whom you had such discussions and describe those discussions in detail.
22. Did you tell Ms. Karnarck or anyone else that the President sought the assistance of NPR

to speed up the CUSA program? If so, please describe any such discussions in detail.

23. To your knowledge, why did NPR end its active involvement in the CUSA program in early May 1996?

24. Who made the decision to end NPR involvement in the CUSA program?

25. Did you participate in discussions about whether the NPR should end its involvement in the CUSA program?

Response to Questions 19:25: While the Vice President accepts your office's representation that NPR became involved in the INS' naturalization efforts in February 1996, his recollection is that following the Los Angeles meeting in March, he asked NPR to use its reinvention principles to help solve the INS' backlog problem, and that the decision to do so was his NPR had a proven track record in helping government agencies improve the quality and speed of their work, and enlisting its participation in the effort to improve the INS was quite natural.

As noted earlier, the Vice President does not believe that he knew about the February , 1996 meeting in Mr. Ickes' office, and he therefore does not believe that he had discussions with anyone prior to that meeting about the involvement of NPR. While the Vice President does not recall telling Ms. Kamarck or anyone else that the President sought the assistance of NPR to speed up the CUSA program, it would not have been unusual for the Vice President to discuss with the President a matter that had been brought to his attention in meetings with community leaders, and about which the Vice President himself felt very strongly.

The Vice President believes that officials of NPR must have decided to end that office's assistance to the INS after attaining as many improvements as it could, but he does not specifically know who made the decision. He does not recall participating in any discussions about whether NPR's involvement should end.

Attachment B

On February 14, 1996, Father Miquel Vega of the Active Citizenship Campaign sent you a letter that stated that INS' failure to reduce the naturalization backlog "threatens to deny 300,000 Latinos the right to vote in the IL 996 Presidential election."¹ The letter further says that failure to deliver on promises made by the INS could create the impression that the Clinton administration is Anti- Latino! Both of these quoted excerpts are underscored in the letter, and a copy of that letter with attachments is included as Attachment B.

Evidence show that on March 8, 1996, you, Ms. Kamarck, and NPR staffer Doug Farbrother met with INS officials in Los Angeles. Following that meeting, you met with Father Vega and a number of Los Angeles community leaders.

26. What was the purpose of the meeting with Father Vega?

27. Did you participate in discussions at these meetings (with JNS or with the Los Angeles community group) that accelerated naturalization could benefit the Clinton-Gore campaign and/or the Democratic party in the 1996 election? If so, please identify the persons with whom you had such discussions and describe those discussions in detail.

Response to Questions 26-27: The Vice President recalls that Father Vega had requested a meeting, and that respected community leaders and administration officials supported the efforts of the group that Father Vega represented. The purpose of the meeting was to listen to the concerns of those in attendance and explain the Administration's position on the issues that were raised. As already discussed, the Vice President was surprised and embarrassed by the extent of the problems that were described to him and the meeting left a deep impression on him. He believed that those in attendance had legitimate complaints about the INS' performance and the length of the naturalization process. He does not recall discussions at any of these meetings that addressing the backlog could benefit the Clinton-Gore campaign or the Democratic party by producing new voters for the 1996 election.

Attachment C

In mid-March 1996, Mr. Farbrother proposed that INS delegate broad authority to field managers to speed up the hiring of temporary employees and accelerate the progress of CUSA. We have enclosed a copy of the delegation letter, as well as email correspondence between Mr. Farbrother and Ms. Kamarck on this issue in Attachment C. The broad delegation proposed by Mr. Farbrother was not implemented by INS. Ms. Kamarck's email of March 21, 1996, says, "[T]he President is sick of this and wants action."

28. Did this accurately portray the President's intent on this issue?
29. Did you have conversations with President Clinton about naturalization processing during March 1996? If so, please describe those conversations in detail
30. Did you have any conversations with Ms. Kamarck in March 1996 as a result of conversations with the President about naturalization? If so, please describe any such conversation in detail.
31. If not, describe to the best of your knowledge how Ms. Kamarck was aware of the President's intent on this issue.

Response to Questions 28-31: The Vice President was deeply troubled by what he heard at the Los Angeles meeting and felt strongly that the INS' performance needed to improve. The Vice President does not remember speaking to the President about naturalization in March 1996, nor having a conversation with Ms. Kamarck in March 1996 following a conversation with the President, but it would not have been unusual for him to report to the President about the Los Angeles session, and how strongly the Vice President himself felt about the extent of the problems at the INS. The Vice President does not recall the President's specific views or intentions on this issue.

In the delegation letter, addressed to INS Deputy Commissioner Chris Sale, Mr. Farbrother said, "to get the results the Vice-President wants, I need to get plenty of authority into the hands of your District Directors in the big cities."

32. Did Mr. Farbrother and other NPR staffers have authority to speak for you on this issue?
33. What results were you seeking?

Response to Questions 32-33: The result that the Vice President was seeking in this matter was to make the INS work efficiently, and to restore its ability to provide the kind of service that was owed to those applying to be naturalized. To the extent that Mr. Farbrother and other NPR employees articulated general principles and aspirations, they were authorized to speak for the Vice President. With regard to specific plans or ideas used to implement those general principles or aspirations, however, the Vice President does not believe that NPR staffers had blanket authority to speak for him.

Attachment D

Enclosed as Attachment D is an email dated March 28, 1996, from Doug Farbrother, addressed to you, Ms. Kamarck, and Bob Stone and Lori Lyons of NPR. In this email, Mr. Farbrother wrote that INS had not made him "confident they could produce a million new citizens before election day." The email goes on to describe Mr. Farbrother's broad delegation proposals, and ends with the statement that "unless we blast INS headquarters loose from their grip on frontline managers, we are going to have way too many people still waiting for citizenship in November. I can't make Doris Meissner delegate broad authority to her field managers. Can you?"

According to the document we have, your response to Mr. Farbrother's March 28 email was "[w]e'll explore it. Thanks."

34. What did you do in regards to the email other than respond as referenced above?
35. Did NPR get involved in naturalization processing in part to assist INS in producing one million new citizens before the November, 1996 election? If this was a part of the NPR mission, please explain.

Response to Questions 34-35: The Vice President does not believe that he did anything in regard to the e-mail other than respond as noted. The Vice President's reasons for asking NPR to become involved are discussed above. He did not view the purpose of the reinvention effort as producing one million new citizens before the November 1996 elections.

Attachment E

The following day, March 29, 1996, Mr. Farbrother sent an email to Ms. Kamarck and Mr. Stone beginning with the phrase "[T]o blunt any charge that we are running a citizenship \ Clinton voter mill, I am working with the FBI..."

(Attachment E) The email goes on to discuss INS' "ridiculously loose fingerprint check system" and suggest that Mr. Farbrother should replace Ms. Chris Sale as INS Deputy Commissioner.

36. When did you become aware of Mr. Farbrother's suggestions regarding the fingerprint system? Regarding replacing Chris Sale?
37. What was your response to Mr. Farbrother's suggestion that he replace Ms. Sale?
38. What was your response to his comment about INS' "ridiculously loose fingerprint check system"?
39. Did anyone discuss with you the possibility that CUSA was or could be perceived as a "citizenship \ Clinton voter mill"? If so, please describe the conversation in detail.

Response to Question 36-39: The Vice President does not recall when he became aware of the matter addressed in Mr. Farbrother's e-mail, but it was well after the time the e-mail was sent, and perhaps when press accounts about these matters appeared. The Vice President does not believe that he saw the e-mail before it was provided to him by your office, and therefore does not believe that he ever responded to its suggestions or comments. The Vice President does not believe that anyone discussed with him the possibility that CUSA was or could be perceived as a "citizenship \ Clinton voter mill."